



Revised January 1, 2021

TC LOCAL 1976

of the

**UNITED, STEEL, PAPER AND FORESTRY, RUBBER,
MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND
SERVICE WORKERS INTERNATIONAL UNION (UNITED STEELWORKERS),**

(hereinafter the “Local Union”)

**LOCAL UNION POLICY AGAINST HARASSMENT AT LOCAL UNION EVENTS AND
IN LOCAL UNION WORKPLACES**

THIS POLICY APPLIES TO:

- all officers of the Local Union
- all permanent, casual, and contract staff of the Local Union

all members of the Local Union who are on union leave and whose wages are being paid by the Local Union

- all members of the Local Union attending Local Union events

STATEMENT OF POLICY ON HARASSMENT

A. INTRODUCTION

The Local Union wishes to provide a harassment-free environment in all Local Union workplaces (meaning any place over which the Local Union has direction and control, such as a local union office) and at all Local Union activities. We have democratically passed tough, meaningful policies on harassment at our Conferences and Conventions and negotiated such policies to protect our members. They are not just words. We take them seriously. In addition to cooperation and understanding, mutual respect must be the basis of interaction among trade unionists.

Harassment is not a joke. It creates feelings of uneasiness, humiliation and discomfort. It is an expression of perceived power and superiority by the harasser over another person. There are two principles fundamental to the trade union movement: human rights and solidarity. Harassment strikes at the heart of both.

B. SCOPE AND APPLICATION

For the purposes of this policy, the following definitions shall apply:

“Harassment” is a form of discrimination. It means improper comment or conduct that a person knows or ought reasonably to know would be unwelcome, offensive, embarrassing, or hurtful. Harassment may result from one incident, or a series of incidents. Harassment can occur between members, between officers, between employees, between officers and employees, between officers and members, between employees and members, between employees and officers or between employees, members, or officers and third parties, like vendors, with whom they are in contact in the course of their work.

Harassment can be based on a prohibited ground of discrimination, as set out in provincial human rights legislation, such as race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, disability, etc. However, it doesn't have to be. Improper conduct or comment which has no work or event-related purpose can also constitute harassment.

“Sexual Harassment” under this Policy means:

- (a) engaging in a course of vexatious comment or conduct against an individual because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to an individual and the person knows or ought reasonably to know the solicitation or advance is unwelcome.

Examples of sexual harassment can include:

- sexually suggestive or obscene remarks or gestures
- leering (suggestive staring) at a person's body
- unwelcome physical contact
- having to work in a sexualized environment (bragging about sexual prowess, or discussions about sexual activities)
- circulation or posting of sexist jokes or cartoons, or displays of pin-up calendars or other objectifying material
- transphobic or homophobic comments, questions, jokes, name-calling, and images.

“Racial harassment” means harassment on the grounds of race. It may also be associated with the grounds of colour, ancestry, where a person was born, a person’s religious belief, ethnic background, citizenship or even a person’s language.

Examples of racial harassment can include:

- racial slurs and jokes
- ridicule, insults or different treatment because of a person’s racial identity
- posting/e-mailing cartoons or pictures that degrade a person of a particular racial group
- name-calling because of a person’s race, colour, citizenship, place of origin, ancestry, creed or ethnic background.

“Personal harassment” means engaging in a course of vexatious comment or conduct against an individual that is known or ought reasonably to be known to be unwelcome. Personal harassment is harassment that is not related to a prohibited ground identified in human rights legislation.

Examples of personal harassment include:

- spreading malicious rumours, gossip or innuendo
- persistently criticizing, demeaning or ridiculing a person
- undermining or deliberately impeding a person’s work
- excluding or isolating someone
- physical threats or assault
- communication that is insulting, humiliating and mocking
- frequent angry shouting/yelling or blow-ups
- regular use of profanity and abusive or violent language

A reasonable action taken by the Local Union relating to the management and direction of Local Union staff, workplaces or events is not harassment.

The Local Union will neither tolerate nor condone behavior from its officers, employees, members or from others doing business on Local Union property, such as vendors, that is likely to undermine the dignity or self-esteem of an individual, or create an intimidating, hostile or offensive environment. All Local Union officers, members, and staff are responsible for maintaining an environment free from discrimination and harassment. Local Union officers, members, and staff are encouraged to report any incidents of harassment to the appropriate person.

C. COMPLAINTS

The Local Union considers harassment of any kind a serious offence. An individual may make a complaint under this Policy verbally or in writing if they believe their rights under the Policy have been violated.

All complaints under this Policy should be made to the President of the Local Union. In the event the complaint is about the conduct of the President of the Local Union, the complaint should be made to the Staff Representative who services the Local Union or to the appropriate Area Co-ordinator.

Complaints should be as detailed as possible, and should provide the name of the person(s) against whom the complaint is being made, and the incident(s) being complained of, including relevant dates, locations, particulars of what was said or done by whom, and include or list any documentation relevant to the investigation of the complaint. Where a complaint is made verbally, the contact person will reduce the complaint to writing.

Details of the complaint will be provided to the respondent(s). The respondent(s) will be asked to provide a response to the complaint which will be relayed to the complainant(s).

Once a complaint has been made, an investigator will be appointed to investigate the complaint. The investigator will meet with the complainant(s), respondent(s) and any other relevant individual(s) for the purposes of conducting an investigation into the complaint. Once the investigation is complete, the investigator will issue a report summarizing the allegations and investigation results. Both the complainant(s) and respondent(s) shall be informed of the results of the investigation and of any corrective action that has been/will be taken as a result of the investigation, in writing.

All Local Union officers, members and staff are required to co-operate with the investigator.

The investigator will, wherever possible, complete the investigation within 90 days of receiving the assignment and in all cases in a fair and timely manner.

This Policy is not intended to discourage anyone from exercising rights pursuant to human rights legislation or pursuant to any other law.

D. CONFIDENTIALITY

The Local Union understands that it is in the interests of all parties that matters arising under this Policy be kept confidential. Rumours and innuendo destroy the integrity of the fact-finding process and principle of the early and expeditious resolution of disputes.

To protect the interests of the complainant(s) and respondent(s), confidentiality will be maintained throughout the complaint process and all records of the investigation once completed will be kept confidential, except to the extent necessary to prevent harm to anyone, to ensure the requirements of a fair investigation, to take appropriate corrective action, or as otherwise required by law.

E. REPRISALS

This Policy prohibits reprisals against individuals, acting in good faith, who report incidents of harassment, provide information related to a complaint, or help to resolve a complaint. The Local Union will take all reasonable and practical measures to prevent reprisal or threats of reprisal. Reprisal is defined as any act of retaliation, either direct or indirect.

Any individual who believes they have been the subject of a reprisal may make a complaint under this Policy.

F. CONSEQUENCES FOR VIOLATION OF THE POLICY

A substantiated complaint or reprisal will result in appropriate corrective action up to and including discipline for those found to have acted in violation of the Policy.

G. SUPPORT AND TRAINING

The Local Union is committed to supporting those who have been affected by harassment and violence and to providing appropriate training for all Local Union officers, employees, and members. The Local Union will ensure that those designated to investigate complaints have knowledge, training, and experience in issues relating to harassment and violence as well as knowledge of relevant legislation.

H. OTHER RESOURCES

If someone who wishes to make a complaint requires further assistance, they may contact the following individuals/organizations:

Staff Representative: Annie Daigneault

Area Co-ordinator: Nathalie Lapointe

DATE: JUNE 7, 2021

APPROVED BY: THE EXECUTIVE COUNCIL OF TC LOCAL 1976 USW
STEVEN HADDEN, PRESIDENT

